



# City of Austin

## Agenda

### City Council Work Session

*Mayor Steve Adler*

*Mayor Pro Tem Natasha Harper-Madison, District 1*

*Council Member Vanessa Fuentes, District 2*

*Council Member Sabino "Pio" Renteria, District 3*

*Council Member Gregorio Casar, District 4*

*Council Member Ann Kitchen, District 5*

*Council Member Mackenzie Kelly, District 6*

*Council Member Leslie Pool, District 7*

*Council Member Paige Ellis, District 8*

*Council Member Kathie Tovo, District 9*

*Council Member Alison Alter, District 10*

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Tuesday, March 2, 2021

9:00 AM

via videoconference

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*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

*Public comment will be taken on Item 1 only. Instructions for speaker sign up will be posted on the Council Meeting Information page.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

#### **A. Pre-Selected Agenda Items**

#### **B. Briefings**

- B1.** 2020 Active Mobility and Safety Bond Update.
- B2.** Re-imagining Public Safety: Update on Resolution 20191205-066 - Preliminary Assessment of Training Academy.
- B3.** Briefing on a proposed Brodie Oaks Planned Unit Development.

#### **C. Council Items of Interest**

#### **D. Council Discussion**

- D1.** Discussion of Planning Commission appointments. (Mayor Adler).

#### **Executive Session**

- E1. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2. Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E3. Deliberate the duties, assignments, and performance of the City Clerk (Personnel matters - Section 551.074 of the Government Code).
- E4. Deliberate the duties, assignments, and performance of the City Auditor (Personnel matters - Section 551.074 of the Government Code).
- E5. Deliberate the duties, assignments, and performance of the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
- E6. Deliberate the duties, assignments, and performance of the City Manager (Personnel matters - Section 551.074 of the Government Code).

#### **Law Department**

- 1. Approve an ordinance amending Ordinance No. 20210209-004 ordering a special municipal election regarding a criminal offense and a penalty for camping in public areas without a permit, certain types of solicitation, and sitting, lying, or sleeping outdoors in certain public areas, declaring an emergency; and waiving Section 1-2-4(A) of the Procedure for Austin City Council Meetings, Public Hearings and Appeals (Council Rules) to allow Council to vote on a work session item that is also on the Thursday agenda.

Strategic Outcome(s): Government that Works for All.

#### **Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council special called meeting of January 26, 2021, special called of February 2, 2021, work session of February 2, 2021, regular meeting of February 4, 2021, special called of February 9, 2021, and special called of February 25, 2021.

### Animal Services Office

2. Approve an ordinance amending City Code Chapter 3-2 (Restrictions on Animals) adding a new Section 3-2-8 relating to the Training and Control of Animals; creating an offense; and establishing an affirmative defense.

Strategic Outcome(s): Health and Environment.

3. Approve an ordinance amending City Code Chapter 3-1 (General Provisions) and Chapter 3-2 (Restrictions on Animals) to add definitions relating to declawing cats; prohibit the practice of declawing cats; creating an offense; and establishing an affirmative defense.

Strategic Outcome(s): Health and Environment

### Austin Energy

4. Approve an ordinance amending the fiscal year 2020-2021 operating budgets of Austin Water and Austin Energy in Ordinance No. 20200812-001 to appropriate an additional \$5,000,000 for each of the utilities' Plus-One payment assistance programs, for a total additional appropriation of \$10,000,000, to help address the ongoing economic effects of the COVID-19 pandemic.

Strategic Outcome(s): Government that Works for All

5. Authorize negotiation and execution of ten-year extensions to existing electric service franchise agreements for the use of rights-of-way in other municipalities within the Austin Energy service area, maintaining the payment amount of three percent of gross electric revenues from customers within each municipality.

Strategic Outcome(s): Government That Works for All.

6. Approve an ordinance authorizing acceptance of \$1,000,000 from the U.S. Department of Energy and amending the Fiscal Year 2020-2021 Austin Energy Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to appropriate \$1,000,000 for the Building Technologies Proving Ground - Public Sector Field Validation Conservation Research and Development Program.

Strategic Outcome(s): Government That Works for All

7. Approve an ordinance authorizing waivers of the residential electric service initiation fee and establishing a one-time credit on residential electric bills to offset the customer charge for service during the recent cold weather event and declaring an emergency.

Strategic Outcome(s): Government That Works for All.

### Austin Water

8. Authorize negotiation and execution of an agreement allowing for the formal transfer of a portion of

the Forest Oaks Mobile Homes, LLC water certificate of convenience and necessity (CCN) No. 12086 to the City of Austin water CCN No. 11322 for the area that overlaps with the Professional Contract Services, Inc. Tract, generally located approximately one half mile east of the intersection of FM 1626 and Menchaca Road.

Strategic Outcome(s): Government That Works for All.

### Capital Contracting Office

9. Authorize negotiation and execution of an amendment to the professional services agreements with HDR Engineering, Inc. for engineering services for the 2016 Large Scale General Civil Engineering Services Rotation List in the amount of \$1,850,000 for a total contract amount not to exceed \$3,143,872.50.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 17.52 % MBE and 14.84% WBE.]

Strategic Outcome(s): Government that Works for All; Mobility; Safety; Health and Environment

10. Authorize negotiation and execution of an amendment to the professional services agreements with Baer Engineering & Environmental Consulting, Inc. (WBE); Ferkam Management Corporation (MBE); and Terracon Consultants, Inc.; for asbestos, lead paint, and mold consultant services for the 2017 Asbestos, Lead Paint, & Mold Consultant Services Rotation List in the amount of \$1,500,000 for a total contract amount not to exceed \$4,800,000, divided among the firms.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with no goals attached to the contract.]

Strategic Outcome(s): Government that Works for All; Safety; Health and Environment

11. Authorize award and execution of a construction contract with DynaGrid Construction Group, LLC, for the Bluff Springs Substation project in the amount of \$7,407,380.03 plus a \$740,738 contingency, for a total contract amount not to exceed \$8,148,118.03.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 13.14% MBE and 0.98% WBE participation.]

Strategic Outcome(s): Safety; Government That Works for All; Mobility

12. Authorize award and execution of a construction contract with Mechanical & Process Systems, LLC (MBE), for the Waller Creek Center HVAC Rehabilitation project in the amount of \$1,467,711 plus a \$146,771 contingency, for a total contract amount not to exceed \$1,614,482.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 57.16% MBE and 2.62% WBE participation.]

Strategic Outcome(s): Government That Works for All; Safety

District(s): District 9

13. Authorize negotiation and execution of an amendment to the professional services agreement with Stanley Consultants, Inc., for professional engineering services for the Rainey Street Gas Insulated Switchgear Substation Design (formerly Future Downtown Gas Insulated Switchgear Substation Design) in the amount of \$1,436,894.58, for a total contract amount not to exceed \$2,895,894.58.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 30.64% MBE and 15.96% WBE.]

Strategic Outcome(s): Safety; Mobility; Government That Works for All

District(s): District 9

14. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc. (DBE), for the ADA Ramp and Bus Stop Improvements 2021 Citywide Indefinite Delivery/Indefinite Quantity contract in the amount of \$1,000,000 for an initial one-year term, with one, six-month extension option of \$500,000, for a total contract amount not to exceed \$1,500,000.

[Note: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Program) by meeting the goal with 14.36% DBE participation.]

Strategic Outcome(s): Safety; Mobility

15. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Street Rehabilitation Phase 2 Project No. 2 Indefinite Delivery/Indefinite Quantity contract in the amount of \$2,000,000 for an initial one-year term, with two, one-year extension options of \$2,000,000 each, for a total contract amount not to exceed \$6,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.54% MBE and 0.85% WBE participation.]

Strategic Outcome(s): Safety; Mobility

16. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Street Rehabilitation Phase 2 Project No. 3 Indefinite Delivery/Indefinite Quantity contract in the amount of \$2,000,000 for an initial one-year term, with two, one-year extension options of \$2,000,000 each, for a total contract amount not to exceed \$6,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.54% MBE and 0.85% WBE participation.]

Strategic Outcome(s): Safety; Mobility

17. Authorize negotiation and execution of a professional services agreement with the following two staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP312: HDR Engineering, Inc. and POWER Engineers, Inc., for engineering services for the Austin Energy Staff Augmentation Engineering and Related Engineering Services for the Electric System Engineering and Technical Services Rotation List in an amount not to exceed \$25,875,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with HDR Engineering, Inc. meeting the goals of 15.80% MBE and 15.80% WBE participation and POWER Engineers, Inc. achieving Good Faith Efforts with 13.90% MBE and 15.80% WBE participation.]

*Strategic Outcome(s):* Safety; Government That Works for All

## **Housing and Planning**

- 18.** Approve a resolution consenting to the annexation by Travis County Water Control and Improvement District No. 10 of 36 properties totaling approximately 115.4 acres currently served by the Camelot Water Supply Corporation, located south of Barton Creek Road off of Canyon Rim Drive, Whippoorwill Trail, Lancelot Way, Cabin Road, and Guinevere Street (Extraterritorial jurisdiction, near Council District 8). This property is located in the Barton Creek Watershed.

*Strategic Outcome(s):* Government that Works for All.
- 19.** Ratify a contract with El Buen Samaritano to fund and administer a program to provide rental assistance to income-eligible households economically impacted by the COVID-19 pandemic, for a term of one year in an amount not to exceed \$1,470,207.00.

*Strategic Outcome(s):* Economic Opportunity and Affordability.
- 20.** Authorize negotiation and execution of a 12-month contract with HousingWorks Austin to perform work related to research, data collection, reporting and engagement initiatives in an amount not to exceed \$100,000.00.

*Strategic Outcome(s):* Economic Opportunity and Affordability.
- 21.** Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Operating Budget (Ordinance No. 20200812-001) to accept and appropriate \$1,515,678 in grant funds from the United States. Department of Housing and Urban Development, through the Texas Department of Housing and Community Affairs, for the Emergency Rental Assistance Program to provide financial assistance to income-eligible households economically impacted by COVID-19.

*Strategic Outcome(s):* Economic Opportunity and Affordability.
- 22.** Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$12,350,000 in the Housing Trust Fund, reduce the Housing Trust Fund ending balance by the same amount, and transfer in and appropriate \$12,350,000 to the Housing and Planning Department Capital Budget (Ordinance No. 20200812-001) from the Housing Trust Fund for the housing and community development purposes of the Housing Trust Fund.

*Strategic Outcome(s):* Economic Opportunity and Affordability.
- 23.** Authorize negotiation and execution of a 12-month contract with PeopleFund to fund the administration of the Micro Enterprise Loans program to provide displacement prevention funding to support small businesses at risk of displacement, for a total contract amount not to exceed \$150,000.

*Strategic Outcome(s):* Economic Opportunity and Affordability.
- 24.** Approve second and third readings of an ordinance granting additional floor-to-area entitlements to the project at 82 and 84 North IH-35 Service Road Southbound in accordance with the

Downtown Density Bonus Program under City Code Section 25-2-586 (B)(6).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

## Law

25. Authorize negotiation and execution of an amendment to the legal services agreement with Joanna Lippman Salinas with Fletcher Farley Shipman and Salinas for legal services related to Cates v. City of Austin et al, Cause No. 1:20-cv-1258-RP in the United States District Court for the Western District of Texas in an amount of \$103,000 for a total contract amount not to exceed \$113,000.  
Strategic Outcome(s): Government That Works for All.
26. Authorize negotiation and execution of an amendment to the legal services agreement with the Law Offices of Charles Frigerio, PC for legal services related to Justin Scott v. City of Austin et al, Cause No. 1:16-cv-1287-RP in the United States District Court for the Western District of Texas in an amount of \$53,550 for a total contract amount not to exceed \$86,000.  
Strategic Outcome(s): Government That Works For All.
27. Authorize negotiation and execution of an amendment to the legal services agreement with Wright and Greenhill, PC for representation related to Athige Denzil DeSilva et al v. City of Austin et al, Cause No. 1:20-cv-00129-RP in the United States District Court for the Western District of Texas in an amount of \$120,500 for a total contract amount not to exceed \$160,500.  
Strategic Outcome(s): Government That Works For All.
28. Approve an ordinance amending Ordinance No. 20210209-004 ordering a special municipal election regarding a criminal offense and a penalty for camping in public areas without a permit, certain types of solicitation, and sitting, lying, or sleeping outdoors in certain public areas; and declaring an emergency.  
Strategic Outcome(s): Government that Works for All.
29. Approve a settlement in Wells v. City of Austin, et al, Cause No. 1:19-cv-1140, In the United States Federal District Court, Western Division, Austin Texas.  
Strategic Outcome(s): Government That Works For All.
30. Approve an ordinance waiving permitting and development fees related to repairing or reconstructing multi-family structures, and removing trees and tree limbs damaged as a result of winter weather events; and declaring an emergency.  
Strategic Outcome(s): Government That Works For All.

## Management Services

31. Authorize negotiation and execution of an interlocal agreement with the Austin Transit Partnership to provide funding for the City of Austin Project Connect Office, in support of Project Connect. Related to Item #32.  
Strategic Outcome(s): Mobility.
32. Approve an ordinance amending the Fiscal Year 2020-2021 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$400,000 from the Austin Transit Partnership and increase the number of authorized positions by four in support of the creation and establishment of the City's Project Connect Office,

related to support and coordination of Project Connect. Related to Item #31.

Strategic Outcome(s): Mobility.

33. Approve an ordinance amending the Fiscal Year 2020-2021 Management Services Department's Equity Office Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$75,000 from Living Cities to build on the work already underway, including but not limited to competency building for staff so that a racial equity analysis is applied to all of the City's work.

Strategic Outcome(s): Economic Opportunity and Affordability.

## Police

34. Approve an ordinance creating temporary navigation control zones on Lake Austin during the PGA Tour World Golf Championships-Dell Technologies Match Play event, and creating an offense.

Strategic Outcome(s): Safety

District(s): District 10

35. Authorize negotiation and execution of an educational affiliation agreement with the University of Texas at Austin to permit the Austin Police Department Victims Service Division to accept social work interns from the University of Texas at Austin School of Social Work. Related to Item# 36.

Strategic Outcome(s): Safety

36. Authorize negotiation and execution of an educational program agreement with the University of Texas at Austin to permit the Austin Police Department Victims Services Division to accept social work interns from the University of Texas at Austin School of Social Work. Related to item# 35.

Strategic Outcome(s): Safety

## Public Health

37. Authorize negotiation and execution of an interlocal agreement with Del Valle Independent School District to provide space on school premises for healthy adolescent services for high school students and their families for a 12-month term with four additional 12-month renewal options with each party providing in-kind services.

Strategic Outcome(s): Health and Environment, Economic Opportunity.

38. Authorize negotiation and execution of Amendment No. 1 to an agreement with Family Eldercare, Inc. to provide mobile hygiene services to people experiencing homelessness in the Austin/Travis County area to extend the term of the agreement through September 30, 2021 and add one-time funding in an amount not to exceed \$287,300, for a revised total agreement amount not to exceed \$574,600.

Strategic Outcome(s):

Economic Opportunity and Affordability.

39. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$265,628 in grant funds from the Texas Department of State Health Services for the Immunization Outreach Grant Program to increase and enhance logistical and clinical support for the immunization program in its goal to prevent the spread of the COVID-19 virus within Travis

County.

Strategic Outcome(s): Health and Environment.

40. Authorize negotiation and execution of Amendment No. 1 to the agreement with Jane's Due Process to provide logistical support services for abortion access to add one-time funding in an amount not to exceed \$100,000 and two 12-month extension options each in an amount not to exceed \$150,000, for a revised total agreement amount not to exceed \$550,000.

Strategic Outcome(s): Health and Environment and Government That Works for All.

## Public Works

41. Authorize negotiation and execution of an Advance Funding Agreement with Travis County for the relocation and adjustment of existing water lines and appurtenances in conflict with the Travis County Old Manor Road Project in the amount of \$682,295.00 plus a 10% contingency of \$68,229.50 for a total amount not to exceed \$750,524.50.

Strategic Outcome(s): Mobility.

## Purchasing Office

42. Authorize amendments to the existing contracts to provide continued security guard services, with Champion National Security, Inc.; Securitas Security Services USA Inc.; and Whelan Security Co.; for an increase in the amount of \$5,750,000, and to exercise the last one-year extension options, for revised contract amounts not to exceed \$23,902,042, divided among the contractors.

(Note: These contracts were reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Safety.

43. Authorize amendments to the existing contracts with American Facilities Services, Inc. and BHW Operating Company LP, for continued custodial services, for an increase in the amount of \$1,800,000, and to extend the terms by two years, for revised contract amounts not to exceed \$4,700,000, divided between the contractors.

(Note: These contracts were reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for these contracts, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Safety.

44. Authorize negotiation and execution of a cooperative contract with Freeit Data Solutions, Inc., for information technology professional services for the Advanced Distribution Management System and Supervisory Control and Data Acquisition Energy Management System, for a term of five years in an amount not to exceed \$750,000.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement

Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

45. Authorize an amendment to an existing cooperative contract with Insight Public Sector Inc. D/B/A Insight Public Sector, to continue the Adobe Enterprise License Agreement and related services, for an increase in the amount of \$1,300,000 and to extend the term by three years, for a revised total contract amount not to exceed \$1,741,563.

(Note: This amendment was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this amendment, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

46. Authorize award of eight contracts for COVID-19 temperature screening services, with InGenesis, Inc.; Arch Staffing and Consulting, LLC; Donald L Mooney Enterprises, LLC; Acadia Workforce Inc.; Protouch Nurses, Inc.; Ascend National LLC; Capitol Medical Service, LLC; and First Medical Response of Texas Inc., each for a term of six months or until the contract amounts are expended, in an amount not to exceed \$3,700,000, divided among the contractors.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Health and Environment; Safety.

47. Authorize award of a contract with Paradigm Traffic Systems, Inc. D/B/A Paradigm Traffic Systems, to provide radar detection, for a term of five years in an amount not to exceed \$10,125,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Mobility.

48. Authorize negotiation and execution of a cooperative contract with TechCenter Design Inc. (WBE), to provide specialized services and installation of equipment to improve four control rooms, in the amount of \$738,619.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Safety.

49. Ratify a contract with Workplace Resource LLC D/B/A Workplace Resource, to provide COVID-19 pandemic office upgrades for the Austin Public Health Department, Environmental Health Services Division's public facing offices, in the amount of \$76,786.

(Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting opportunities).

Strategic Outcome(s): Safety; Government that Works for All; Health and Environment.

50. Authorize negotiation and execution of a contract with RecordPoint Software USA LLC, to provide a Records365 enterprise electronic records management software solution, for a term of five years for a total contract amount not to exceed \$1,551,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

51. Authorize an amendment to an existing contract with SuccessFactors, Inc., to provide a continued subscription for talent, performance, and learning management software, for an increase in the amount of \$315,000 and to extend the term by one year, for a revised total contract amount not to exceed \$2,921,702.

(Note: This contract was awarded as a sole source and is exempt from City Code Chapter 2-9C Minority Owned and Woman Owned Business Enterprise Procurement program).

Strategic Outcome(s): Government That Works for All.

52. Authorize negotiation and execution of a contract with Huber Technology Inc., for grit washing equipment, in an amount not to exceed \$261,544.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Health and Environment; Safety.

53. Authorize award of a multi-term contract with Pencco, Inc., to provide liquid ferrous chloride and ferric chloride, for up to five years for a total contract amount not to exceed \$831,055.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Health and Environment.

54. Authorize award of three multi-term contracts for three phase distribution padmount transformers, with KBS Electrical Distributors Inc.; WESCO Distribution, Inc. D/B/A Hi-Line Utility Supply Co, LLC aka Power Supply; and Techline Inc., each for up to five years for total contract amounts not to exceed \$56,875,000, divided among the contractors.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

55. Authorize award of a contract with Texas Electric Cooperatives, to provide coupling capacitor voltage transformers, for a term of five years for a total contract amount not to exceed \$585,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

56. Authorize award of a contract with Techline Inc., to provide substation circuit breakers, in an amount not to exceed \$300,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Safety; Government That Works for All.

57. Authorize award of a multi-term contract with Lauren Concrete Inc., for ready-mix concrete, for up to five years for a total contract amount not to exceed \$8,700,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All.

58. Authorize award of a contract with Expert Relocation Services, LLC, to provide citywide moving and relocation services, for a term of two years for a total contract amount not to exceed \$3,057,400.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

59. Authorize award of a multi-term contract with Enterprise Professional Services, Inc. D/B/A EPSI, to provide cleanup services for lands, creeks, electric utility distribution and transmission sites, and related infrastructures, for up to five years for a total contract amount not to exceed \$1,232,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities).

Strategic Outcome(s): Health and Environment; Safety.

**Transportation - Mobility Bond**

60. Approve a resolution declaring the City’s official intent to reimburse itself from proceeds of general obligation bonds to be issued for transportation and mobility-related expenditures related to the general obligation bonds projects approved by the voters in 2020 in the total amount of \$460,000,000. Related to Items #61 and #62.

Strategic Outcome(s): Mobility; Safety

61. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Transportation Department Capital Budget (Ordinance No. 20200812-001) to increase appropriations by \$239,000,000; and amending the Fiscal Year 2020-2021 Public Works Department Capital Budget (Ordinance No. 202000812-001) to increase appropriations by \$221,000,000, to design, construct and reconstruct sidewalks, urban trails, bikeways, bridges, roads, streets, intersections, and related utility and drainage infrastructure for roads and streets; improving traffic signal synchronization, communications and control systems and acquiring and installing traffic signals and related technology to implement traffic safety and traffic fatality reduction strategies. Related to Items #60 and #62.

Strategic Outcome(s): Mobility; Safety

62. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Transportation Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$215,941 and to increase the number of authorized staff positions by 27 full-time equivalents to support the 2020 General Obligation Transportation and Mobility Bonds; and amending the Public Works Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$439,081 and to increase the number of authorized staff positions by eight full-time equivalents to support the 2020 General Obligation Transportation and Mobility Bonds. Related to Items #60 and #61.

Strategic Outcome(s):  
Mobility; Safety

**Watershed Protection Department**

63. Authorize negotiation and execution of an interlocal agreement with the Central Texas Regional Mobility Authority for construction of a streambank stabilization project in Boggy Creek that will control channel erosion and protect a portion of the Southern Walnut Creek Trail. Related to Item #64.

Strategic Outcome(s): Mobility; Safety; Government that Works for All.

District(s): District 1; District 3

64. Approve a resolution authorizing the negotiation and execution of a Multiple Use Agreement with the Texas Department of Transportation (TxDOT) for construction of a streambank stabilization project within TxDOT’s right-of-way at US Hwy 183 where the highway crosses Boggy Creek. Related to Item# 63.

Strategic Outcome(s): Mobility; Safety; Government that Works for All..

District(s): District 1; District 3

## Item(s) from Council

65. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

66. Approve a resolution directing the City Manager to draft an ordinance for Council consideration waiving up to \$23,000 in fees for the installation of 46 lampposts along Congress Avenue from Riverside to 11th Street by the Downtown Austin Alliance Foundation in March 2021.

Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Vanessa Fuentes, Mayor Pro Tem Natasha Harper-Madison, and Mayor Steve Adler

67. Approve a resolution acknowledging the City's role in disenfranchising Black Austinites through past discrimination, urban renewal policies, and the 1928 Master Plan and directing the City Manager to analyze and report on the economic and other harms caused by such programs and policies and to provide a planning scope, process and funding recommendations for the creation of a Black resource and cultural center.

Sponsors: Mayor Pro Tem Natasha Harper-Madison, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Kathie Tovo, and Council Member Gregorio Casar

68. Approve a resolution consenting to a proposed borrowing transaction by Austin Convention Enterprises, Inc. under the terms of the federal Paycheck Protection Program.

Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Alison Alter, and Council Member Sabino "Pio" Renteria

## Item(s) to Set Public Hearing(s)

69. Set a public hearing related to an application by Agave East Apartments, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Agave East Apartments, located west of the intersection of McAngus Road and Elroy Road, within the City's limited purpose jurisdiction. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

70. Set a public hearing related to an application by Cypress Creek Howard Lane, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Cypress Creek Apartment Homes at Howard Lane, located at or near the intersection of N. Lamar Boulevard & W. Howard Lane, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. Second Street, Austin, Texas ).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 7

71. Set a public hearing related to an application by AMTEX Multi-Housing LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Decker Lake Apartments, located at or near 6200 Blue Bluff Road, Austin, Texas 78724, within the City's extraterritorial jurisdiction. (Suggested date:

Thursday, March 25, 2021, Austin City Hall, 301 W. Second Street, Austin, Texas).

**Strategic Outcome(s):** Economic Opportunity and Affordability.

72. Set a public hearing related to an application by El Prado at Estancia Ltd., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as El Prado at Estancia, located at or near the intersection of Estancia Parkway and Avenida Mercado Street, Austin, TX, 78652, within the City's limited purpose jurisdiction. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

**Strategic Outcome(s):** Economic Opportunity and Affordability.

**District(s):** District 5

73. Set a public hearing related to an application by LDG Kingswood, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Kingswood, located at or near 13411 FM Road 812, Austin, TX 78617 within the City's extraterritorial jurisdiction. (Suggested date: Thursday, March 25, 2021 Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

**Strategic Outcome(s):** Economic Opportunity and Affordability.

74. Set a public hearing related to an application by AMTEX Multi-Housing LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Manor Apartments, located at 6705 Manor Road, Austin, Texas 78723, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

**Strategic Outcome(s):** Economic Opportunity and Affordability.

**District(s):** District 1

75. Set a public hearing related to an application by AGC RBJ II, LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as The Rebekah, located at or near 1320 Art Dilly Drive, Austin, Texas, 78702, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

**Strategic Outcome(s):** Economic Opportunity and Affordability.

**District(s):** District 3

76. Set a public hearing to consider an ordinance granting additional floor-to-area ratio entitlements to the project at 90 and 92 Rainey Street in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586(B)(6). (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

**Strategic Outcome(s):** Government that Works for All

77. Set a public hearing to consider an ordinance on first reading regarding the application submitted by Viking Enterprises, Inc., d/b/a City Ambulance Service, for a non-emergency medical transfer franchise under Chapter 10-2 of the City Code. (Suggested date and time: April 8, 2021, Austin City Hall, 301 W. Second Street, Austin, TX.).

**Strategic Outcome(s):** Safety.

## **Non-Consent**

### **Austin Housing and Finance Corporation Meeting**

78. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/department/city-council/2021/20210304-ahfc.htm>).

### **Public Hearings and Possible Actions**

79. Conduct a public hearing and consider an amendment to Ordinance No. 20191114-068 to recognize other local incentives and economic development tools available to qualifying enterprise zone projects.
80. Conduct a public hearing and approve an ordinance adopting temporary reductions to retail water rates, authorizing the director of Austin Water to temporarily use historical average customer water use for determining retail customer bills following the recent February 2021 winter storm, exclude water use caused by the effects of the February 2021 winter storm from retail wastewater averaging calculations, administratively adjust water bills for retail customers who sustained leaking or burst pipes or otherwise sustained unusually high water bills due to the recent February 2021 winter storm, waiving the emergency water service repair cut off/on fee, and declaring an emergency.

### **Executive Session**

81. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
82. Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Government Code).
83. Deliberate the duties, assignments, and performance of the City Clerk (Personnel matters - Section 551.074 of the Government Code).
84. Deliberate the duties, assignments, and performance of the City Auditor (Personnel matters - Section 551.074 of the Government Code).
85. Deliberate the duties, assignments, and performance of the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
86. Deliberate the duties, assignments, and performance of the City Manager (Personnel matters - Section 551.074 of the Government Code).

### **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

87. C14-2020-0116 - 10304 Old San Antonio Road - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 10304 Old San Antonio Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. First

Reading approved on January 27, 2021. Vote: 10-0, Council Member Casar was off the dais. Owners/Applicants: Bernadette M. Rainosek, Frank A. Miller, and Walter John Miller. Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719.

District(s): District 5

88. NPA-2017-0021.01- 4530 E. Ben White Blvd - Approve second and third readings of an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 East Ben White Boulevard (Country Club Creek Watershed) from single family to commercial land use, as amended on June 23, 2020. First Reading approved commercial land use on July 30, 2020. Vote 11-0. Owner/Applicant: 4539 East Ben White Associates, LLC (Trevor Belton). Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, Housing and Planning Dept. (512) 974-2695.

District(s): District 3

89. C14-2019-0167 - 4530 E. Ben White Blvd - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4530 East Ben White Boulevard (Country Club West Watershed). Applicant Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, as amended. First Reading approved general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning on July 30, 2020. Vote 11-0. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

### **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

90. C14-2009-0151(RCA3) - Shoal Creek Walk - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 835 West 6th Street (Shoal Creek Watershed). Staff Recommendation and Planning Commission Recommendation: To grant an amendment to the restrictive covenant. Owner and Applicant: Shoal Creek Walk, LTD., (Richard W. Duggan III). Applicant: Armbrust and Brown, PLLC, (Amanda Surman). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

91. C14-2020-0154 - Domain Retail District 1, Block Z - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11700 Rock Rose Avenue; and 3200, 3212 ½, and 3250 Palm Way; and 11701 ½, 11703 ½, 11711, 11711 ½, 11811, and 11811 ½ Domain Drive (Walnut Creek Watershed). Applicant Request: To zone from major industry-planned development area (MI-PDA) combining district zoning to major industry-planned development area (MI-PDA) combining district, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant major

industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: Domain Northside Retail Property Owner L.P. Agent: Armbrust & Brown, PLLC (Walter W. Cardwell, IV). City Staff: Sherri Sirwaitis, 512-974-3057..

District(s): District 7

92. C14-2020-0139 - Cullen and Ralph Ablanado - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8811 Cullen Lane and 203 Ralph Ablanado Drive (Onion Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner: Rhodes #4 LLC (Gary Rhodes); Chris E. Clearman. Agent: Drenner Group PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

93. C14-2020-0091 - Johnny Morris Road Light Industrial -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6215 ½ Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning and warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, as amended. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning (prior to applicant's amended request). Owner/Applicant: Texas Coldworks, LLC (Christian Garces). Agent: Kimley-Horn (Harrison M. Hudson, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 1

94. C14-2020-0112 - Delta Kappa Gamma Society International - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 416 West 12th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use (DMU) district zoning. Owner/Applicant: The Delta Kappa Gamma Society International (Nita Scott). Agent: Armbrust & Brown, PLLC (Michael J. Whellan, Michael J. Gaudini). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

95. C14-2020-0110 12212 Tech Ridge Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12212 & 12316 Tech Ridge Boulevard and 211 & 201½ Canyon Ridge Drive (Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning, limited industrial services (LI) district zoning, and rural residence (RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Tech Ridge Phase IV, LP. Agent: Drenner Group PC (Amanda Swor). City

Staff: Heather Chaffin, 512-974-2122.

District(s): District 7

96. NPA-2020-0027.01 -Twin Liquors-Maudie's - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100923-102 the Central West Austin Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2602, 2604, 2606, 2608, and 2610 W. 7th Street; and 701 and 703 Newman Drive. (Johnson Creek Watershed) from Neighborhood Commercial to Commercial land use. Staff Recommendation and Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 10

97. C14-2020-0024 -Twin Liquors-Maudies Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2604, 2608, and 2610 West 7th Street (Johnson Creek Watershed). Applicant's Request: To rezone from commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning for Tract 1 and from general commercial services-neighborhood plan (CS-NP) combining district to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning for Tract 1 and commercial-liquor sales-neighborhood plan (CS-1-NP) combining district for Tract 2. Planning Commission Recommendation: To be reviewed on March 9, 2021. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower). City Staff: Mark Graham, 512-974-3574.

District(s): District 10

98. C14-2020-0134 - 6311 South 1st Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6311 South 1st Street (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Owner: ND South First LP (Haythem Dawlett). Agent: Drenner Group PC (Leah M. Bojo). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2